

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29260 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

1. Nirmala Kumari
2. Urmla Kumari Both daughters of Rameshwar Rai,
3. Lal Pari Devi, w/o Ram Payari Rai,
All (01 to 03) R/o of Village- Narwara P.S. Baruraj and the District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.27075 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

Rameshwar Rai S/o Ram Pyari Rai R/o village- Narwara P.S. Baruraj and
the District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.29260 of 2016)

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav

For the Opposite Party/s : Mr. J.N. Thakur, APP

(In Cr.Misc. No.27075 of 2016)

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

03/ 05-09-2016

Heard learned counsels for the petitioners

and the State.

Petitioners of Cr. Misc. No. 29260 of 2016

being the unmarried sisters and grand mother of the husband of

the victim are apprehending their arrest in a case registered for the offences punishable under Sections 304B, 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act whereas petitioner of Cr. Misc. No. 27075 of 2016 being the father of the husband of the victim is languishing in custody since 22.04.2016 in the present case.

The prosecution case is of killing the daughter of the informant within two years of the marriage with by strangulating her.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and petitioner Rameshwar Rai is not named in the FIR but during investigation nothing specific came against him.

It is submitted by learned counsel for the State Mr. J.N. Thakur that, though, the accusation is omnibus and general but name of Rameshwar Rai though not mentioned in the FIR but during investigation his name sprang up and the accusation of strangulation gets corroborated with the post-mortem report.

Considering the fact that the petitioners of Cr. Misc. No. 29260 of 2016 are unmarried sisters and grand mother of the husband of the victim whereas petitioner

Rameshwar Rai of Cr. Misc. No.27075 of 2016 is not named in the FIR and nothing specific came against him during investigation, moreover, the investigation has already concluded against Rameshwar Rai, let the above named petitioners of both the Cr. Misc. be released on anticipatory bail/regular bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate (West), Muzaffapur in connection with Baruraj P.S. Case No. 08 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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